

REMARKS

This Amendment and Request for Reconsideration ("Amendment") is in response to the September 27, 2006 Office Action ("Office Action").

Claims 1-50, 52-60 and 68-74 are pending.

Support for the amendment to independent claims 1 and 46 is found throughout the specification, for example at pages 67-75, paragraphs 59-65, and in original claims 7-13, 35, and 38. Similarly, support for amendments to dependent claims 3, 47, and 48 is located at least in pages 67-75, paragraphs 59-65, and in original claims 7-13, 35, and 38.

Support for new claims 68 and 69 are found throughout the specification and in paragraphs 59, 60, and 62-65. Support for new claims 70-74 is found throughout the specification, including at least paragraphs 83, 92, 94, original claims 5 and 6, and the compounds in the Tables.

The scope of the newly added claims does not exceed the scope of original claim 1; therefore no additional search burden is believed to be required. Applicants respectfully request that the new claims be entered.

Applicants wish to thank the examiner for discussing the rejections on December 19, 2006. The examiner examined where he found support for the compounds cited in his rejection.

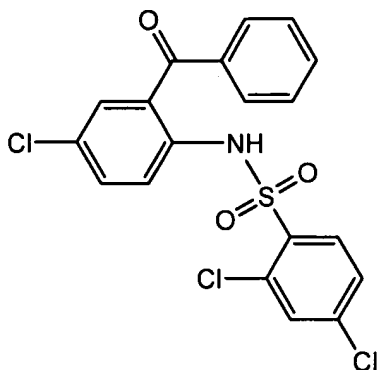
I. Response to rejection under 35 U.S.C. § 112

The rejection of claim 51 under 35 U.S.C. § 112, second paragraph, as being indefinite has been obviated by cancellation of claim 51.

II. Response to rejections under 35 U.S.C. § 102 (b)

Claims 1-4, 15-18, 20, 25, 26, 30-34, 36, 37, 39-50 and 53-60 stand rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Wu et al. (Chem. Abst. 123:285437). The rejection over Wu et al. has been obviated by appropriate

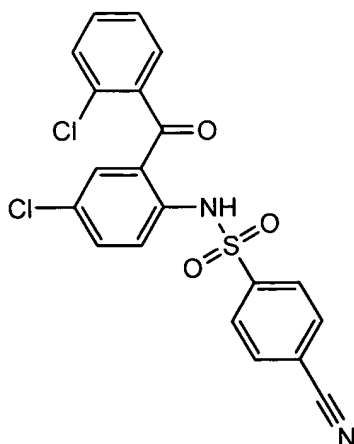
amendment. Wu teaches N-(2-benzoyl-4-chlorophenyl)-2,4-dichloro-benzenesulfonamide:



As amended, independent claims 1 and 46 do not allow X, X', or X'' to be halogen. Accordingly, N-(2-benzoyl-4-chlorophenyl)-2,4-dichloro-benzenesulfonamide does not fall within the scope of the claims. New claim 70 does not have a halogen in the position *para* to the sulfonamide bond. Therefore, none of these claims or their dependents are anticipated by Wu et al.

Claims 1-4, 15-20, 25, 26, 39-34, 36, 37, 39-50 and 53-60 stand rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Wagnon et al. (US 5,338,755). The examiner alleges that Wagnon et al. disclose N-[4-chloro-2-(2-chlorobenzoyl)phenyl]-4-cyano-benzenesulfonamide, pointing to the general method of synthesis in col. 4, lines 34 - col. 5, line 16; col. 42, lines 29-31, and Table 2, compound 139.¹

¹ Applicants contend the identity of the compound in the Table is unclear and may be something other than the compound named by the examiner.



Regardless, as amended, independent claims 1 and 46 do not allow X, X', or X" to be -CN. New claim 70 fails to have a halogen in the position *para* to the sulfonamide bond. Therefore, none of these claims or their dependents are anticipated by Wagnon et al.

III. Response to Rejection under Obviousness-type Double Patenting

Claims 1-60 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending application 10/848,836. Applicants will file a terminal disclaimer shortly.

IV. Conclusion

Applicants believe that Claims 1-50, 52-60 and 68-74 are now in condition for allowance. Applicants reserve the right to pursue unclaimed subject matter in later continuation or divisional applications. Applicants respectfully request that the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned agent for the applicants via telephone if such communication would expedite this application.

Respectfully submitted,



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